



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2405

JUN 06 1990

Ref: 8HWM-RP

M E M O R A N D U M

SUBJECT: Review of Draft ROD for the
Monticello Mill Tailings Site

FROM: P.C. Nyberg, Health Physicist
Radiation Programs Branch

TO: Paul Mushovic, Remedial Project Manager
Superfund Remedial Branch

I have briefly reviewed the Revised Draft Final Declaration for the Record of Decision and the Record of Decision Summary for the Monticello (Utah) Mill Tailings Site (DOE/ID/12584-50, May 1990). This document appears to address most of my earlier concerns and, by separating the surface and groundwater activities from the peripheral property cleanup and disposal cell construction, makes a more manageable remedial action proposal. I really have only one serious reservation at this time, and that concerns compliance with the NESHAP's regulations covering radon emissions from Department of Energy facilities.

The National Emission Standards for Radon Emissions from Department of Energy Facilities (40 CFR 61, Subpart Q) limits the radon flux from the Monticello Uranium Mill Tailings Pile to 20 picocuries per square meter per second averaged over the entire site. Unlike the standards in 40 CFR 192, these standards are directly applicable and contain some very specific provisions. Only a standard is specified in Subpart Q; it is up to the Region to make sure that a means of determining compliance is included in the compliance agreement and in the ROD.

Present guidance for dealing with this site recommends that, if present agreements contemplate allowing the site to remain out of compliance for longer than two years after December 15, 1989, a compliance agreement for this standard should be negotiated to lay out formally the compliance schedule with appropriate milestones. The designated compliance group for this activity is the Stationary Source Compliance Division of the Office of Air Quality Planning and Standards.

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The standards in Subpart Q exempt the designated facilities from the reporting requirements of 61.10, but not from the testing requirements of 61.13. This actually required testing within 90 days of the effective date of the standard, or by March 15, 1990. There is a provision in 61.13 for DOE to request a waiver from the testing requirements if the facility is under a compliance agreement, and I suggest that this might be the best course at the moment. Otherwise, radon flux testing as specified in Part 61, Appendix B, Method 115 (2), would be required. Testing would still be required on the disposal site as finally configured, but presumably the compliance agreement would specify when and how that will be done.

For the purposes of the ROD, I suggest that the language in section 10.2.1 be augmented to reflect the requirements of the NESHAP's regulations. Specifically, the Department of Energy is required either to conduct radon emission testing on the existing site in accordance with specified methodology, or to request a waiver from the testing requirements until the new disposal site is complete. For EPA to grant a waiver, the facility must be operating under a compliance agreement that spells out what the present risks are, when the emissions are expected to be reduced, and when the emission testing will take place. Since our existing compliance agreement doesn't get that specific, an additional agreement is probably needed.

I hope this is helpful to you. By copy of this memo I'm letting the Air Programs Branch know what's happening, and you may wish to talk to John Dale about the mechanics.

cc: J.Dale, 8AT-AP